



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrik BERGLIN Conf.: 5939
Application No.: 10/531,872 Examiner: Mark Milia
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Title: METHOD AND ARRANGEMENT FOR USE OF SHARED
RESOURCES IN A NETWORK
Attorney Docket: 19200-000047/US

April 28, 2011

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Mail Stop APPEAL BRIEF

APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37

In accordance with the provisions of 37 C.F.R. § 41.37, Appellants submit the following Appeal Brief.

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I. 37 C.F.R. § 41.37(c)(1)(i) – REAL PARTY IN INTEREST

The real party in interest for the present application is DevLabs AB. An assignment of the rights associated with the present application was recorded with the United States Patent and Trademark Office on September 27, 2006 on reel/frame no. 018347/0262.

II. 37 C.F.R. § 41.37(c)(1)(ii) – RELATED APPEALS AND INTERFERENCES

There are no known appeals, interferences, or judicial proceedings that will directly affect, be directly affected by, or have a bearing on the Board's decision in this Appeal.

III. 37 C.F.R. § 41.37(c)(1)(iii) – STATUS OF CLAIMS

Claims 1-30 and 32-33 are pending in the present application, with claims 1, 17 and 19 being the independent claims. Claims 1-30 and 32-33 stand rejected.

Claims 1-6, 8, 13-15, 17-24, and 29-33 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US Pat 6,115,132 to Nakatsuma et al. ("Nakatsuma").

Claims 9, 10, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2002/0067504 to Salgado et al. ("Salgado").

Claims 11, 12, and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2002/0062453 to Koga ("Koga").

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2003/0212789 to Hamel et al. ("Hamel").

Claims 1-30 and 32-33 are being appealed.

IV. 37 C.F.R. § 41.37(c)(1)(iv) - STATUS OF AMENDMENTS

Claims 1, 17-19 and 32-33 were amended subsequent to the August 30, 2010 Final Office Action. Although the Examiner addressed the amendments of at least claims 1 and 19 in the Advisory Action of December 15, 2010, the Examiner did not enter the Amendments.

V. 37 C.F.R. § 41.37(c)(1)(v) – SUMMARY OF CLAIMED SUBJECT MATTER

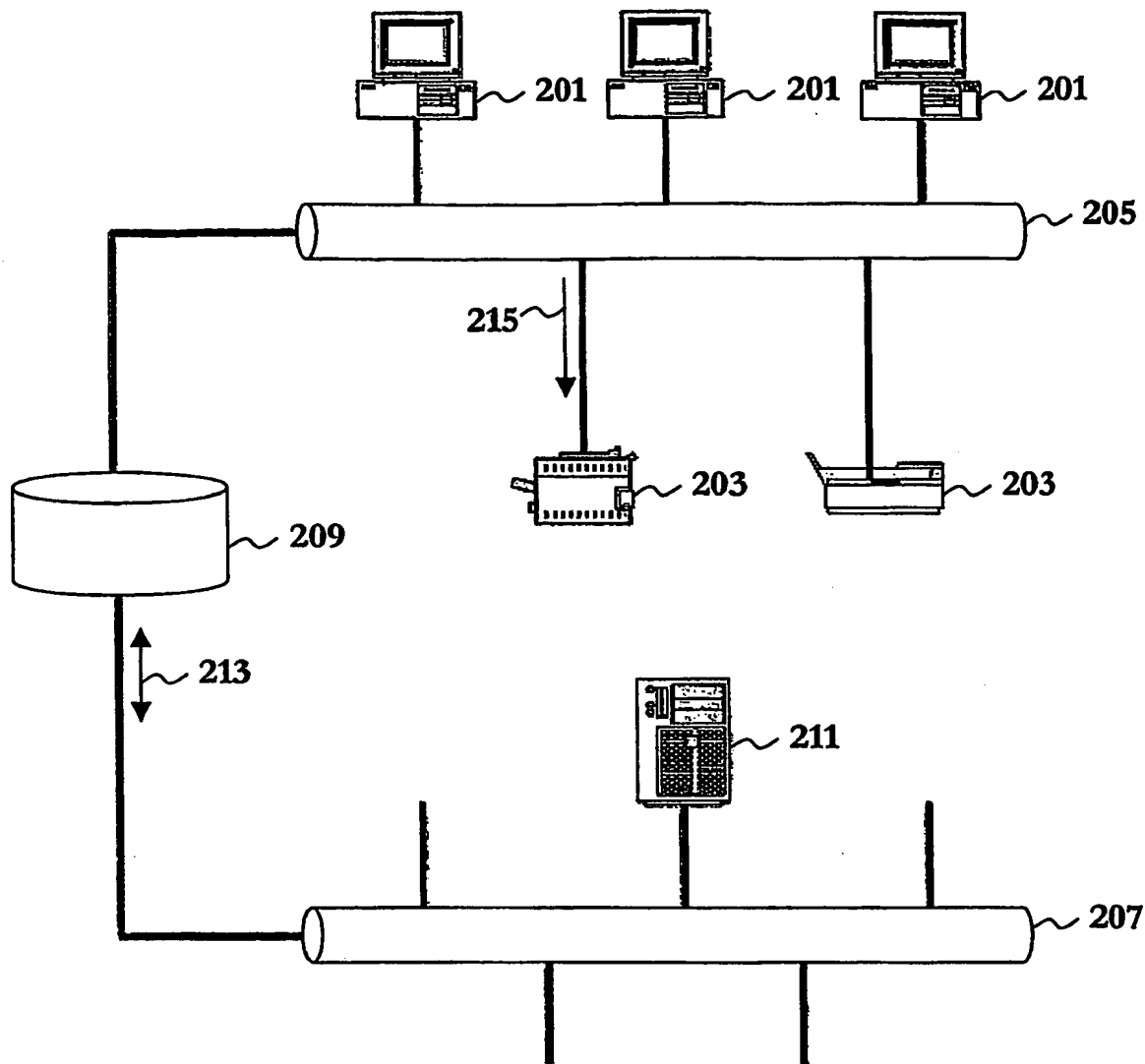
Introduction

The following explains the subject matter set forth in each claim argued on appeal and each independent claim by way of example embodiments in the specification by page and line number, and in the drawings, if any, by reference characters only to satisfy 37 C.F.R. § 41.37(c)(1)(v). This concise explanation relies on example embodiments from the specification to describe the claims; however, the claims recite subject matter not limited to these example embodiments.

FIG. 2 illustrates schematically a network according to example embodiments. FIG. 2 is reproduced below.

According to example embodiments, the network illustrated in FIG. 2 includes a plurality of clients or user computers 201, which together with a plurality of printers 203 are connected to a client network 205. The client network 205 is in turn connected to a server network 207, optionally via a router 209. The server network 207 comprises a ticket server 211, which monitors and controls the printings from the clients 201 on the printers 203.

According to example embodiments, the client, who desires to print on a selected printer, sends a request to the ticket server 211 to obtain permission to print a print job on the printer. If the printer is available and active (for example, it can receive a print job) the ticket server 211 sends a go-ahead to the client and the client, thus receiving the go-ahead, sends the print job directly to the selected printer for printing. The ticket server 211 monitors the printer and has thus information whether the printer is active or inactive, and if it is occupied with print jobs from the same or another client on the network.



If the printer is occupied, the request is placed in a queue by the ticket server 211. This queue is updated continuously, and when the above print job is next in the queue to be printed, the ticket server 211 sends a go-ahead to the client, which may send the print job directly to the printer for printing.

In FIG. 2 the bidirectional arrow 213 indicates the signaling between the ticket server 211 and one of the clients 201, while arrow 215 indicates the transferring of the print job from the client to the selected printer 201.

The print job is assigned an identity, which is sent to the client, so that the client can associate an identity with the print job. Then, when the ticket server 211 sends the go-ahead to the client, the identity is included in the go-ahead so that the client can send the correct print job to the printer (if the client has several print jobs active). A confirmation that the assigned identity has been received by the client can be sent back to the ticket server 211.

Furthermore, the client may send a confirmation to the ticket server 211, when it has received the go-ahead to print. This confirmation can also include an indication that the print job has been sent or will be sent by the client. A further confirmation when the print job has been completed may be sent from the client to the ticket server 211, or in the case the print job has not been completed successfully, an indication of this may be sent from the client to the server, after which the server can remove the request from the queue.

According to example embodiments, updated status information regarding the completion of the print job is sent from the client to the ticket server 211 repetitively, on a regular basis, while the printing is active, wherein absence of such updated status information at the ticket server 211 (for example, if the time between two status updates has been exceeded) indicates that an operation error of the client, or that a communication error in the combination between the client and the ticket server 211, has occurred (program error or network error). This triggers the ticket server to examine the situation (for example, examine the printer), and attend to the problem or change status of the job and/or the printer. The job may or may not be moved from the queue. The server may have a timer installed, wherein different actions can be triggered by the different delays. If errors are indicated the administrator of the system is informed.

According to example embodiments, information regarding status of the printer may be sent from the ticket server 211 to the client to keep the client updated.

According to example embodiments, the amount of data, which is sent between the client and the ticket server 211, is typically at most 20 kb and this saves bandwidth and simultaneously centralizes the ticket server 211 to only one site in the network, even if the network is large.

INDEPENDENT CLAIM 1

Independent claim 1 recites “receiving, at a server, from a client connected in the network, a request to be allowed to send a job to a selected shared resource connected in the network.” This reads on the non-limiting example embodiment disclosed, for instance, in on page 11, lines 15-18 of the original specification.

Independent claim 1 additionally recites “assigning an identity to the job.” This reads on the non-limiting example embodiment disclosed, for instance, on page 12, line 3 of the original specification.

Independent claim 1 also recites “checking continuously, by the server, whether the shared resource is accessible and has capacity for receiving the job at present.” This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 22-26 of the original specification.

Independent claim 1 also recites “sending a go-ahead to the client that the client can send the job directly to the selected shared resource, the go-ahead including the identity assigned to the job so that the network may identify the job, the sending being executed if the checking continuously determines that the selected shared resource is accessible and has capacity to receive the job at

present.” This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 5-8.

Independent claim 1 also recites “placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously.” This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 27-28 of the original specification.

Independent claim 1 also recites “sending the go-ahead to the client that the client can send the job directly to the selected shared resource, if the request is in a first position in the queue and the checking continuously determines that the selected shared resource has capacity to receive the job at present.” This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 29-31 of the original specification.

Independent claim 1 also recites “notifying, by the server, the client not to send the job, if the checking continuously determines that the selected shared resource is not accessible.” This reads on the non-limiting example embodiment disclosed, for instance, on page 17, lines 16-20 of the original specification.

Independent claim 1 also recites “receiving, from the client, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource.” This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

Independent claim 1 also recites “removing the request from the queue upon receipt of the confirmation.” This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

INDEPENDENT CLAIM 17

Independent claim 17 recites "receiving, from a client connected in the network, a request to be allowed to send a job to a selected shared resource connected in the network." This reads on the non-limiting example embodiment disclosed, for instance, in on page 11, lines 15-18 of the original specification.

Independent claim 17 additionally recites "assigning an identity to the job." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, line 3 of the original specification.

Independent claim 17 also recites "checking continuously whether the shared resource is accessible and has capacity for receiving the job at present." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 22-26 of the original specification.

Independent claim 17 also recites "sending a go-ahead to the client that the client can send the job directly to the selected shared resource, the go-ahead including the identity assigned to the job so that the network including the client may identify the job, the sending being executed if the checking continuously determines that the selected shared resource is accessible and has capacity to receive the job at present." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 5-8.

Independent claim 17 also recites "placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 27-28 of the original specification.

Independent claim 17 also recites "sending the go-ahead to the client that the client can send the job directly to the selected shared resource, if the request is in first position in the queue and the checking continuously determines that the selected shared resource has capacity to receive the job at present." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 29-31 of the original specification.

Independent claim 17 also recites "notifying the client not to send the job, if the checking continuously determines that the selected shared resource is not accessible." This reads on the non-limiting example embodiment disclosed, for instance, on page 17, lines 16-20 of the original specification.

Independent claim 17 also recites "receiving, from the client, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

Independent claim 17 also recites "removing the request from the queue upon receipt of the confirmation." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

INDEPENDENT CLAIM 19

Independent claim 19 recites "sending, to a server configured to control and monitor transfers of jobs to shared resources connected in the network, a request to be allowed to send the job directly to the selected shared resource." This reads on the non-limiting example embodiment disclosed, for instance, in on page 11, lines 15-18 of the original specification.

Independent claim 19 additionally recites "assign an identity to the job and communicate the identity to the client." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, line 3 of the original specification.

Independent claim 19 also recites "place the request in a queue for the selected shared resource." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 27-28 of the original specification.

Independent claim 19 also recites "update the queue continuously." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 27-28 of the original specification.

Independent claim 19 also recites "transmit a go-ahead to the client to send the job to the selected shared resource, if the request is in a first position in the queue." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 29-31 of the original specification.

Independent claim 19 also recites "receiving the go-ahead from the server, the go-ahead including the identity assigned to the job; sending the job directly to the selected shared resource." This reads on the non-limiting example embodiment disclosed, for instance, on page 11, lines 30-31 and page 12, lines 3-8.

Independent claim 19 also recites "receiving, from the selected shared resource, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

Independent claim 19 also recites "forwarding the confirmation to the server, the server being further configured to remove the request from the queue in response to the confirmation." This reads on the non-limiting example embodiment disclosed, for instance, on page 12, lines 14-19 of the original specification.

**VI. 37 C.F.R. § 41.37(c)(1)(vi) – GROUNDS OF REJECTION TO BE
REVIEWED ON APPEAL**

A. Appellants seek the Board's review of the rejection of claims 1-6, 8, 13-15, 17-24, and 29-33 under 35 U.S.C. § 102(b) as being anticipated by US 6,115,132 to Nakatsuma et al. ("Nakatsuma").

B. Appellants seek the Board's review of the rejection of claims 9, 10, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2002/0067504 to Salgado et al. ("Salgado").

C. Appellants seek the Board's review of the rejection of claims 11, 12, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2002/0062453 to Koga ("Koga").

D. Appellants seek the Board's review of the rejection of claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Nakatsuma in view of US Pat Pub 2003/0212789 to Hamel et al. ("Hamel").

VII. 37 C.F.R. § 41.37(c)(1)(vii) – ARGUMENT

A. Rejection of Claims 1-6, 8, 13-15, 17-24, and 29-33 under 35 U.S.C. § 102(b) is Erroneous

The Examiner takes the position that claims 1-6, 8, 13-15, 17-24, and 29-33 are anticipated by US Pat 6,115,132 to Nakatsuma et al. ("Nakatsuma"). Appellants respectfully disagree with the Examiner's position for the reasons expressed below.

Principles of Law

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

NAKATSUMA FAILS TO DISCLOSE OR FAIRLY SUGGEST ALL CLAIMED LIMITATIONS

It is alleged in the Final Office Action of August 30, 2010 that col. 14, line 66 – col. 15, line 53, col. 16 lines 58-63, col. 17, lines 17-26 and col. 18, lines 33-49 anticipate "placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously, [and] sending the go-ahead to the client that the client can send the job directly to the selected shared resource, if the request is in a first position in the queue and the checking continuously determines that the selected shared resource has capacity to receive the job at present," as recited in independent claim 1. Applicants respectfully disagree.

Col. 14, line 66 – col. 15, line 53 of Nakatsuma are directed to the example embodiment illustrated in Fig. 12 of Nakatsuma. Fig. 12 is a flow chart illustrating

the print function of the virtual print server print monitor 708 using the virtual print server service (client) 712 of the client computer. Nakatsuma discloses in Fig. 12 that at step S1202, the registered job information queue table as shown in Fig. 13 is formed. The job ID acquired at step S1106 of Fig. 11 is set for StartDocPort0 received at step S1201. At step S1203 the register job information queue table is linked to a queuing table as shown in Fig. 14. At step S1208, the acquired job ID of the virtual print server 712 is set to a corresponding registered job information queue table shown in Fig. 13. As is seen, the flow chart illustrated in Fig. 12 is the detailed description of the print function included in the print sequence illustrated in Fig. 11 of Nakatsuma. Applicants respectfully submit that the Nakatsuma printing method always uses a registered job information queue table during the print sequence. However, claim 1 recites "placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously." Namely, Applicants submit that the Nakatsuma printing method always uses a registered job information queue table regardless of whether the printer in the Nakatsuma network is accessible or not. Nakatsuma, therefore, fails to teach, or fairly suggest a selective usage of the registered job information queue table as required by independent claim 1. Applicants respectfully submit that Nakatsuma fails to disclose, teach or fairly suggest "placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously," as recited in independent claim 1.

Further, Applicants respectfully submit that Nakatsuma fails to anticipate "notifying, by the server, the client not to send the job, if the checking continuously

determines that the selected shared resource is not accessible,” as recited in independent claim 1. It is alleged in the Office Action that col. 21, lines 48-64 and col. 22, lines 15-34 of Nakatsuma anticipate the above limitation of independent claim 1. Applicants respectfully submit that col. 21, lines 48-64 are directed to printing of a job when the shared network resource is accessible and available. Particularly, col. 21, lines 48-64 of Nakatsuma are directed to the flow chart illustrated in Fig. 46. As indicated in Nakatsuma, if the printable indication is received from the virtual print server service server (712) at step S4610, the flow advances to step S4701 in Fig. 47 of Nakatsuma. At step S4701 the print monitor 708 acquires the print table in accordance with the registered job information queue corresponding to the job ID and a print operation is performed at the network printer. After the print operation, it is checked whether there is any error in the print operation. If not, the flow advances to step S4703 wherein the job is deleted. Namely and as is seen, the cited section of Nakatsuma is directed to receiving and printing a print job when the network printer is available and accessible. Nakatsuma fails to disclose or fairly suggest at least “notifying, by the server, the client not to send the job, if the checking continuously determines that the selected shared resource is not accessible,” as recited in independent claim 1.

NAKATSUMA FAILS TO ANTICIPATE CLAIM 2

It is alleged in the Office Action that Col. 24, lines 38-54 of Nakatsuma anticipate “repetitively receiving, from the client, updated status information regarding the completion of the job by the shared resource,” as recited in dependent claim 2.

In the cited section, Nakatsuma discloses sending a job deletion instruction to each client PC in order to make each client PC delete the job information and a

temporary file. The client PC receives the job deletion and instruction and deletes the job information and a deletion result is notified to the virtual server. Upon reception of the deletion result, the virtual server recognizes a deletion of the job and deletes the corresponding job information from the queue of the virtual server.

Applicants respectfully submit that nothing in the cited section of Nakatsuma teaches or even points toward "repetitively receiving updated status information regarding the completion of the job by the shared resource," let alone "the repetitively receiving occurring after the sending the go-ahead, absence of the repetitively receiving indicating an operation error of the client or a communication error between the client and the server," as recited in dependent claim 2.

Instead, the cited sections of Nakatsuma are directed to deleting job information. The cited sections, however, are silent with respect to deleting the job information upon completion of the job by the network printer. Further, Applicants respectfully submit, that the job deletion instruction that is sent to each client PC or the deletion result that is sent to the virtual server are not repetitive. Additionally, the Nakatsuma fails to disclose or fairly suggest that an absence of the deletion result to notify the virtual print server is taken as an indication that a job operation error of the client or a communication error between the client and the server has occurred.

For at least the reasons above, there can be no anticipation with regard to claims 1 and 2 and with regard to the somewhat similar features recited in independent claims 17 and 19 and dependent claim 20. Consequently, there can be no anticipation with regard to claims 3-6, 8, 13-15, 18, 20-24, and 29-33, at least by virtue of their dependency from one of claims 1, 17 and 19. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection.

B. Rejection of Claims 9-10 and 26-27 under 35 U.S.C. § 103(a) is

Erroneous

The Examiner takes the position that claims 9, 10, 26, and 27 are unpatentable over Nakatsuma in view of US Pat Pub 2002/0067504 to Salgado et al. ("Salgado"). Appellants respectfully disagree with the Examiner's position for the reasons expressed below.

The above-discussed deficiencies of Nakatsuma are also applicable to this rejection. Furthermore, the additional teachings of Salgado fail to remedy the deficiencies of Nakatsuma.

For at least the reasons above, a *prima facie* case of obviousness cannot be established with regard to claims 1 and 19. Consequently, a *prima facie* case of obviousness cannot be established with regard to claims 9-10 and 26-27, at least by virtue of their dependency from one of claims 1 and 19. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection.

C. Rejection of Claim 11-12 and 28 under 35 U.S.C. § 103(a) is Erroneous

The Examiner takes the position that claims 11, 12, and 28 are unpatentable over Nakatsuma in view of US Pat Pub 2002/0062453 to Koga ("Koga"). Appellants respectfully disagree with the Examiner's position for the reasons expressed below.

It is alleged in the Final Office Action at Page 15 that col. 18, lines 33-49 of Nakatsuma disclose "checking a user priority of the client, if the client has authorization to send the job to the selected shared resource; and placing the request in the queue depending on the user priority of the client," as recited in claim 12.

In the cited sections, Nakatsuma teaches a sequential processing of the jobs using a sequential order control mechanism that controls the job order at the apparatus. However, the Nakatsuma fails to teach any user priority based printing mechanism, wherein print jobs are placed in a print queue depending on the user priority.

As the Board will appreciate, a sequential order control mechanism would most likely function based on a first-in-first-out principle and would not permit print jobs to be processed out of turn.

Further, Koga fails to overcome the noted deficiencies of Nakatsuma as Koga is directed to an automatic authentication method and fails to teach or even suggest any print queue in which print jobs are placed depending on user priority.

Additionally, the above deficiencies of Nakatsuma discussed with regard to claims 1 and 19 are also applicable to this rejection. Furthermore, the additional teachings of Koga fail to remedy the deficiencies of Nakatsuma.

For at least the reasons above, a *prima facie* case of obviousness cannot be established with regard to claims 1 and 19. Consequently, a *prima facie* case of obviousness cannot be established with regard to claims 11-12 and 28, at least by virtue of their dependency from one of claims 1 and 19. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection.

D. Rejection of Claim 16 under 35 U.S.C. § 103(a) is Erroneous

The Examiner takes the position that claim 16 is unpatentable over Nakatsuma in view of US Pat Pub 2003/0212789 to Hamel et al. ("Hamel"). Appellants respectfully disagree with the Examiner's position for the reasons expressed below.

The above-discussed deficiencies of Nakatsuma are also applicable to this rejection. Furthermore, the additional teachings of Hamel fail to remedy the deficiencies of Nakatsuma.

For at least the reasons above, a *prima facie* case of obviousness cannot be established with regard to claim 1. Consequently, a *prima facie* case of obviousness cannot be established with regard to claim 16, at least by virtue of its dependency from claim 1. Accordingly, Appellants respectfully request the Board to reverse the Examiner's rejection.

Conclusion

For at least the reasons above, unpatentability cannot be established with regard to claims 1-30 and 32-33. Accordingly, Appellants respectfully request the Board to reverse all of the Examiner's rejections.

If the USPTO believes that personal communication will further the prosecution of this application, the Office is invited to contact the undersigned at the telephone number below.

The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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VIII. 37 C.F.R. § 41.37(c)(1)(viii) – CLAIMS APPENDIX

1. (Previously Presented) A method for controlling and monitoring transfers of jobs from clients connected in a network to shared resources connected in the network, the method comprising:

- receiving, at a server, from a client connected in the network, a request to be allowed to send a job to a selected shared resource connected in the network;

- assigning an identity to the job;

- checking continuously, by the server, whether the shared resource is accessible and has capacity for receiving the job at present;

- sending a go-ahead to the client that the client can send the job directly to the selected shared resource, the go-ahead including the identity assigned to the job so that the network may identify the job, the sending being executed if the checking continuously determines that the selected shared resource is accessible and has capacity to receive the job at present;

- placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously;

- sending the go-ahead to the client that the client can send the job directly to the selected shared resource, if the request is in a first position in the queue and the checking continuously determines that the selected shared resource has capacity to receive the job at present;

- notifying, by the server, the client not to send the job, if the checking continuously determines that the selected shared resource is not accessible;

- receiving, from the client, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource; and

- removing the request from the queue upon receipt of the confirmation.

2. (Previously Presented) The method of claim 1, further comprising:

- repetitively receiving, from the client, updated status information regarding the completion of the job by the shared resource, the repetitively receiving occurring after the sending the go-ahead and before the receiving the confirmation, absence of the repetitively receiving indicating an operation error of the client or a communication error between the client and the server.

3. (Previously Presented) The method of claim 1, further comprising:

- receiving a confirmation that the identity has been received by the client.

4. (Previously Presented) The method of claim 1, further comprising:

- receiving a confirmation that the go-ahead has been received by the client.

5. (Previously Presented) The method of claim 4, wherein the confirmation that the go-ahead has been received also indicates that the job has been or will be sent to the shared resource directly.

6. (Previously Presented) The method of claim 1, wherein the shared resource is a printer and the job is a print job.

7. (Previously Presented) The method of claim 1, wherein the shared resource is a transmitter device, a telefax apparatus, a displaying unit, a projector, a device for storing data, a CD recorder, or a DVD recorder, and wherein the job is a job to send, display, or store data.

8. (Previously Presented) The method of claim 1, further comprising:

- sending information regarding a status of the shared resource to the client.

9. (Previously Presented) The method of claim 1, further comprising:

- storing a version of client software for the client, the software relating to communication with the selected shared resource;

- receiving, from the client, information of a version of the client software the client is using for communication with the selected shared resource;

- comparing the version of the stored client software and the version of the client software in use; and

- transferring a copy of the stored client software to the client or installing a copy of the stored client software on the client, executing the transferring or the installing if the comparing determines that the version of the stored client software is newer than the version of the client software in use.

10. (Previously Presented) The method of claim 9, wherein the receiving information of the version of the client software the client is using is executed with the receiving the request to be allowed to send the job to the selected shared resource.

11. (Previously Presented) The method of claim 1, wherein the request to be allowed to send the job to the selected shared resource includes a user domain and a user identity for the client, the method further comprising:

- checking whether the client has authorization to send the job to the selected shared resource; and

- sending an error code to the client, if the client does not have authorization to send the job to the selected shared resource.

12. (Previously Presented) The method of claim 11, further comprising:

- checking a user priority of the client, if the client has authorization to send the job to the selected shared resource; and

- placing the request in the queue depending on the user priority of the client.

13. (Previously Presented) The method of claim 3, further comprising:

- receiving, from the client, information of a size of the job.

14. (Previously Presented) The method of claim 13, wherein ~~said~~ the receiving information of the size of the the job is executed with the receiving the confirmation that the identity has been received.

15. (Previously Presented) The method of claim 1, further comprising:

- continuously checking a status of shared resources in the network.

16. (Previously Presented) The method of claim 1, further comprising:

- continuously copying information regarding status of shared resources in the network, information regarding queues, information regarding clients, and information regarding jobs to a second server configured to control and monitor transfers of jobs.

17. (Previously Presented) A computer-readable medium storing code portions that cause a server to execute:

- receiving, from a client connected in the network, a request to be allowed to send a job to a selected shared resource connected in the network;

- assigning an identity to the job;

- checking continuously whether the shared resource is accessible and has capacity for receiving the job at present;

- sending a go-ahead to the client that the client can send the job directly to the selected shared resource, the go-ahead including the identity assigned to the job so that the network including the client may identify the job, the sending being executed if the checking continuously determines that the selected shared resource is accessible and has capacity to receive the job at present;

- placing the request in a queue for the selected shared resource, if the checking continuously determines that the selected shared resource is accessible but at present lacks capacity for receiving the job, the queue being updated continuously;

- sending the go-ahead to the client that the client can send the job directly to the selected shared resource, if the request is in first position in the queue and the checking continuously determines that the selected shared resource has capacity to receive the job at present;

- notifying the client not to send the job, if the checking continuously determines that the selected shared resource is not accessible;

- receiving, from the client, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource; and

- removing the request from the queue upon receipt of the confirmation.

18. (Previously Presented) The computer-readable medium of claim 17, wherein the code portions are configured to be downloaded onto the server.

19. (Previously Presented) A method of transferring a job from a client connected in a network to a shared resource connected in the network and selected by the client, comprising:

- sending, to a server configured to control and monitor transfers of jobs to shared resources connected in the network, a request to be allowed to send the job directly to the selected shared resource, the server being further configured to,

- assign an identity to the job and communicate the identity to the client,

- place the request in a queue for the selected shared resource,

- update the queue continuously, and

- transmit a go-ahead to the client to send the job to the selected shared resource, if the request is in a first position in the queue;

- preparing and storing the job;

- receiving the go-ahead from the server, the go-ahead including the identity assigned to the job;

- sending the job directly to the selected shared resource;

- receiving, from the selected shared resource, a confirmation indicating that the job has been completed successfully by the shared resource or that the job has not been completed successfully by the shared resource; and

- forwarding the confirmation to the server, the server being further configured to remove the request from the queue in response to the confirmation.

20. (Previously Presented) The method of claim 19, further comprising:

- repetitively sending, to the server, updated status information regarding the completion of the job by the shared resource, the repetitively sending occurring after the receiving the go-ahead and before the forwarding the confirmation, absence of the updated status information on the server indicating an operation error of the client, or a communication error between the client and the server.

21. (Previously Presented) The method of claim 19, further comprising:

- sending a confirmation that the assigned identity has been received by the client.

22. (Previously Presented) The method of claim 19, further comprising:

- sending a confirmation, to the server, that the go-ahead has been received by the client.

23. (Previously Presented) The method of claim 22, wherein the confirmation that the go-ahead has been received includes a confirmation that the job has been or will be sent to the shared resource.

24. (Previously Presented) The method of claim 19, wherein the shared resource is a printer and the job is a print job.

25. (Previously Presented) The method of claim 19, wherein the shared resource is a transmitter device, a telefax apparatus, a displaying unit, a projector, a device for storing data, a CD recorder, or a DVD recorder, and wherein the job is a job to send, display, or store data.

26. (Previously Presented) The method of claim 19, further comprising:

- sending, to the server, information of a version of client software the client is using for communication with the selected shared resource; and
- receiving, from the server, a copy of client software stored by the server, if the client software stored by the server is a newer version than the client software the client is using.

27. (Previously Presented) The method of claim 26, wherein the sending information the version of the client software the client is using is executed with the sending the request to be allowed to send the job to the selected shared resource.

28. (Previously Presented) The method of claim 19, wherein the request to be allowed to send the job to the selected shared resource includes a user domain and a user identity for the client, the method further comprising:

- receiving an error code from the server, if the client does not have authorization to send the job to the selected shared resource.

29. (Previously Presented) The method of claim 21, further comprising:

- sending information of a size of the job to the server.

30. (Previously Presented) The method of claim 29, wherein the sending information of the size of the job is executed with the sending the confirmation that the assigned identity has been received.

31. (Cancelled)

32. (Previously Presented) A computer-readable medium storing code portions that cause a client terminal to execute the method of claim 19.

33. (Previously Presented) A network comprising:

at least one server including the computer-readable medium of claim 17.

APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37
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IX. 37 C.F.R. § 41.37(c)(1)(ix) - EVIDENCE APPENDIX

None.

APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37

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X. 37 C.F.R. § 41.37(c)(1)(x) – RELATED PROCEEDINGS APPENDIX

None.